RAILWAYS AND STEAMBOATS.

Notice to Shippers.

S.S. EUREKA will SAIL FROM SAN FRANCISCO for PORTLAND on

Oregon Railway and Navigation Company.

RAIL DIVISION.

MIDDLE COLUMBIA RIVER DIVISION.

Leave for Arrive from

Astoria ... 7:30 A.M. ... 4:30 P.M.
Clifton ... 8 A.M. ... 4 P.M.
Parkdale ... 9 A.M. ... 3 P.M.
Cornelius ... 9 A.M. ... 3 P.M.
Verboort, R.F. ... 9 A.M. ... 3 P.M.

NARROW GAUGE DIVISION.

EAST SIDE.

BETWEEN PORTLAND AND CORNELIUS.

On and after Monday, Sept. 24, 1883

WEST SIDE.

BET. PORTLAND, SHERMAN AND AIRLIE.

Leave Portland at 7:30 A.M. Returning, leave Airlie for Portland at 12:30 P.M.

Freight for all points on Narrow Gauge Division must be delivered and forwarded by the O. & C. R.R. Co. and W. Side Divisions respectively.

General Offices—Cor. Front and D Streets

C. H. PRESCOTT, Manager.

JOHN MYER, Superintendent of Transportation.

A. L. MAKWELL, Pacific Coast Agent.

NORTHERN PACIFIC RAILROAD.

WESTERN DIVISION.

PACIFIC DIVISION.

Leave Kalama at 8:30 A.M. Arrive at New Tacoma at 11:30 A.M.

Leave New Tacoma at 7 A.M. Arrive at Kalama at 4 P.M.

Connections.

At Tacoma with O. C. R. & N. Co. steamships for San Francisco, and with push steamers for Seattle, Utsalady, Olympia and all points on Puget Sound.

At Kalama with stage for Scottsdale.

At Pasco with the Olympia and Yakima branch of the Oregon.

At Kalama with O. R. & N. Co.'s boats for Portland and all railroad and steamship lines centering at that point.

BEND O'KEEFFE DIVISION.

Leave Wallula Junction at 5 A.M. Arrive at Spokane Falls at 4:15 P.M.

Leave Spokane Falls at 4:15 P.M. Arrive at Wallula Junction at 3:00 P.M.

Connection

At Wallula Junction with O. R. & N. Co. for all points east and Sound points.

Sleeping Cars to and from Portland.

Oregon & California R.R. Co.

On and after 8 24, 1882, trains will run as follows:

(DAILY, EXCEPT SUNDAYS)

Eastside Division.

Between PORTLAND and SIDDLER

Mail Train

LEAVE		ARRIVE
Portland	7:30 A.M.	Siddler ... 4:30 P.M.
Siddler	8:30 A.M.	Portland ... 5:30 P.M.

Emigrant Express Train.

LEAVE		ARRIVE
Portland	5:00 P.M.	Lyons ... 10:00 P.M.
Lyons	6:00 A.M.	Portland ... 11:00 A.M.

Freight Trains

LEAVE		ARRIVE
Portland	6:15 A.M.	Junction ... 5:30 P.M.
Junction	6:30 A.M.	Siddler ... 5:00 P.M.
Siddler	8:0 A.M.	Junction ... 5:30 P.M.
Junction	6:30 A.M.	Portland ... 5:00 P.M.

The Oregon and California Railroad Ferry runs in connection with all regular trains on Eastside Division.

Westside Division.

BETWEEN PORTLAND AND CORVALLIS

Mail Train

LEAVE		ARRIVE
Portland	7:30 A.M.	Corvallis ... 5:30 P.M.
Corvallis	8:30 A.M.	Portland ... 5:30 P.M.

Close connections made at Siddler with stages for the Cloverdale and Oregon Stage Company.

Tickets for sale to all the principal points in the United States and Europe.

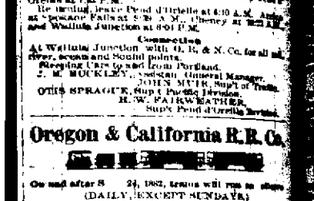
Depot P and Front Sts., Portland, Or.

Storage will be charged on freight remaining in Company's warehouse over 24 hours after notice that it has been received for shipment after 10 o'clock P.M. on either the East or Westside Division.

H. F. ROGERS, Gen'l Frt. & Pass'r Ag't.

E. KOEHLER, Vice President and Manager.

SHERWIN,



ARCHITECT,

Rooms 42 and 43, Union Block, Portland, Or.

WOLFE'S

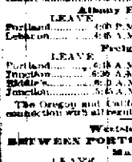
Ec[illegible]remaic Sc[illegible]

NERVOUS DEBILITY!

A CURE GUARANTEED.

Ricord's VITAL Restorative

Restores Sexual Power and Vitality.



Loss of Manly Power.

This invaluable remedy is indorsed by the faculty as a positive cure for Seminal Weakness or Sexual Debility, Impotency, Nervousness, Loss of Memory, Premature Old Age, Pimples on the Face, Aversion to Society, Blotches, Unfitness for Study or Business, Exhausted Vitality, Impaired Functions, Wasting Diseases, Lassitude, Languor, Pain in the Back, Dimness of Vision, Premature Decay, Wasting Weakness, and all diseases and disorders of the Sexual System, whether arising from the indiscretion or excesses of youth, the abuse of mercury, or the use of tobacco, opium or alcoholic beverages.

DAVIS & CO., Proprietors, 115 Monroe St., Chicago, Ill.

Sold by druggists throughout the United States and Canada. Price $1 per bottle, or six bottles for $5, sent by express, prepaid, on receipt of price, or by agent in the city.

NOTICE.

Having bought out the entire right, title and interest of [illegible] and the [illegible] I am now prepared to manufacture the Vital Restorative in larger quantities than ever before, and can supply the demand promptly. I have also greatly improved it within the past few months, and the result is that it is now more than ever the most powerful and reliable remedy in the world for all diseases of the sexual organs. Price per bottle, $1. Sold by druggists everywhere. Address, DR. R. RICORD, Jr., Proprietor, 115 Monroe St., Chicago, Ill.

Consultation by letter free. Correspondence strictly confidential.

DR. R. RICORD, Jr., Vanderbilt Building, New York.

Oldtown

YOUR NOSE

Club 18 [illegible] the Medicated Inhaler and Catarrh Cure. Sold by druggists, or sent by mail on receipt of price. Pamphlet free. Address, [illegible] Buffalo, N. Y.

Clubs offer unlimited [illegible] Inhaler and Cure for $5.

PAIN, PROVISIONS & S[illegible]

[illegible] Reports sent weekly. Clubs 2 paid subscribers back their money in full if not satisfied after three months, still keeping original subscribers. Sample copy free. Send for circular. Address, [illegible] Commission Merchants, 171 & 173 La Salle St., Chicago. Refer to Cashier Corn's office, 171 & 173 La Salle St., Chicago.

H[illegible]

A victim of early imprudence, causing Nervous Debility, Lost Manhood, etc., having tried in vain every known remedy, has discovered a simple means of self-cure, which he will send free to his fellow-sufferers. Address, H. REEVES, 43 Chatham st., New York City.

NERVOUS DEBILITY!

A CURE GUARANTEED.

DR. [illegible]'S NERVO-GALVANIC BELT AND APPLIANCES

Are the only [illegible] that will cure Nervous Debility, Lost Manhood, Impotency, Premature Decay, Wasting Weakness, Lack of Nerve Force, Lost Power, Failing Memory, Sexual Exhaustion, Impure Blood, Kidney Troubles, Rheumatism, Neuralgia, Paralysis, Sciatica, Lumbago, Dyspepsia, Liver Complaint, Constipation, Piles, Female Complaints, and all diseases of the Nerves, Blood, Stomach, Liver and Kidneys. Thousands of testimonials. Pamphlet free. Call or address, DR. [illegible]'S ELECTRIC INSTITUTE, 704 Market st., San Francisco, Cal.

Morning Oregonian.

VOL. XXII. PORTLAND, OREGON: TUESDAY, JANUARY 9, 1883. NO. 7073.

DOMESTIC BRANCHES.

Notice of the Stock Speculators in a Tight Corner.

CONFLAGRATION RAGING IN VIRGINIA.

Failures must be Well Paid—Robbed Bank Messengers—Fire at Sea, Etc.

[illegible] Jan. 8—There is considerable [illegible] for [illegible] is thoroughly [illegible] and [illegible] has spread and advanced 15 the entire [illegible] leaders. [illegible] a severe [illegible] which he was during [illegible] [illegible] ball [illegible] noon, and [illegible] [illegible] [illegible]

The Daily Oregonian.

TUESDAY MORNING, JAN. 6, 1883.

PRESIDENTIAL SUCCESSION.

In our telegraphic record of yesterday appeared a report of a debate in the United States senate on Saturday upon the bill to define when, how and why the vice president should assume the duties of president of the United States. As the tragical wounding and heroic death of President Garfield are still fresh in the minds of all the subject matter is not barren of interest.

That portion of the constitution which refers to the accession of the vice president to the presidency in the event of the president's death, resignation or inability to act, needs a clearer explanation to the people at large than had been given it prior to the hour when the bullet of Guiteau went forth on its fatal errand. People could understand the meaning of death and resignation, but "inability to act" was something not so easily grasped by the common mind. To ourselves, the hour that saw the hero president carried into the executive mansion, with the deadly lead in his spine, saw a sad moment far succession of the vice president through the superior officer's "inability."

As is well known, this journal has never been an admirer of Mr. Arthur's course as a politician, nor has it neglected to express its condemnation of the methods of "stalwartism" of which he has been regarded as the chief exponent. But we desire to do him no injustice. In assuming the robes of office upon the wounded president's death, he showed no indecent haste. He might have taken them a month earlier, and found as many to endorse as to condemn him. The president's "inability to act" dated really from the hour when his physicians informed Secretary Blaine that no business of a public nature must be communicated to him. James A. Garfield was a dead man to the nation, in an official point of view, for sixty days prior to the hour when death rewarded his long courage and stoical endurance by releasing him from a world that had been a better one for his presence. But the great heart of the nation would not let him die. It could not believe him a dying man, till he was indeed no more.

Similar emergencies may arise again, and we should be prepared to meet them. In the formation of our republic by the men of the revolution the contingency of assassination was not contemplated. It is well enough at this time for congress to adopt such legislation as will clearly define "inability to act" in order to relieve future vice presidents, who may succeed to the chief magistracy, of the charge of indecent haste under similar delicate and perplexing circumstances.

H. W. S.

TESTIMONY ON PROHIBITION.

Is it possible that the new governor of Kansas is not an impartial and trustworthy witness as to the results of prohibition in his state. Elected in opposition to the apostle of prohibition, Gov. St. John, he claims his success as proof that the people of Kansas have decided to support prohibition no longer. He will probably find this a mistake, since all advices attribute the defeat of St. John chiefly to opposition to him on personal grounds. Nevertheless the new governor presents some statistics bearing on the liquor traffic in his state which are worth examination.

Referring to the claim that since the adoption of the prohibition amendment crime had been so far reduced in Kansas that the state prison was almost closed, Gov. Glick says that on the contrary there were eighteen more prisoners in the institution during the first year of prohibition than during the last year of license and local option, showing an increase of crime of three per cent. Now it is certain that anything that diminishes the use of intoxicating liquors diminishes crime; and the governor therefore has either made an erroneous statement or prohibition has been very ineffective. Again, he asserts that in the last year of license 1180 United States licenses were issued, that was for 878 persons in the state, making Kansas the leading temperance state in the nation. In the first year of prohibition 1788 United States licenses were issued, being one for 551 persons, an increase of 58 per cent, and placing the state seventh instead of first as a temperance state. In the first month and a half of the second year of prohibition 1161 licenses were issued being sixteen more than in the entire last year of the state license system. To this he adds the large increase of clandestine sales, and the immense amount of shipments to individuals in concealed packages by express.

While the fact is not to be overlooked that this is testimony from one who is avowedly opposed to prohibition, it is also to be observed that the position held by the governor is one that demands accuracy of statement, and that if he has departed from the truth the fact could be made to appear from the official records, very much to his confusion and to the injury of his reputation for veracity.

The best measure of restriction is the measure that each state should adopt. Experience seems to show that high license points the way to the best attainable results. That is to say, since the traffic cannot be entirely suppressed, regulate it as fully and tax it as heavily as possible.

H. W. S.

WORKING FROM THE WRONG END.

It may be that the sugar monopoly of the Pacific coast is strong enough to prevent the abrogation of the Hawaiian treaty. Any interest that makes an annual profit of millions of dollars may be expected to "talk" through legislation. But whether the treaty shall be abrogated or not, it is most probable that congress will do nothing to check the railroad abuses which constitute large part of the support of the sugar and other monopolies on this coast. It is the opinion of many that the combination between the beneficiaries of the Hawaiian treaty and the managers of the transcontinental roads has created a monopoly powerful enough to stand even the after support so far given it by the treaty shall be withdrawn,—unless congress shall take the regulation of the railroads sternly in hand.

This last is what congress ought to do. But it is just what congress will not do. The railway companies which monopolize and control transportation across the continent are operated in a single interest. Practically they form but one line. To "protect their interests" they keep a lobby at Washington which has hitherto defeated every attempt to compel them to deal fairly with the people. Railroads built wholly out of the public treasury are suffered to become instruments of public oppression.

The small reduction of cuts on sugar, proposed in the new tariff bill will not help matters on this coast in any degree. The monopoly will continue. It is useless to work from the wrong end. If the treaty cannot be abrogated, and whether abrogated or not, congress ought to regulate transportation over these roads which the country has built and equipped out of its treasury, and for which its bonds, amounting to nearly $100,000,000, are still outstanding. Of course this sugar monopoly is not the whole offense. It is only an incident in the line of abuses which call loudly for correction.

Gen Eaton, the United States comissioner of education, in an address recently delivered before the Union League club of New York, with a copy of which he favors us, argues that illiteracy in our country is so enormous that only the national government is strong enough to deal with it. There are over six millions of persons in the country above ten years of age who cannot read and write, of whom 3,200,000 are colored, 2,200,000 native whites and 700,000 foreign whites. These figures refute the notion that illiteracy is confined chiefly to the colored race. It will be seen that the illiterate whites are almost as numerous as the illiterate blacks.

A NEW NOVELIST.

Every year or two some new novelist comes out of obscurity and startles the literary world with a book that is a new departure from the street and worlds of fiction. We will remember when Mrs. Warfield first brought out what we still regard as the finest American novel ever written, "The Household of Bouverie," although the story was one of the old Kentucky family tradition. It was hoped that another story of equal power and brilliancy would follow from the same gifted pen, but none ever came. Other American writers have been more prolific, but unequal to her in plot and imagination. Of these Beulah," by Miss Augusta Evans, and "Ruthledge," by Miss Miriam Coles, are the first and the best works of their respective authors, and all their later works show a weak and stilted style compared with their initial efforts. Perhaps it was fortunate for Mrs. Warfield that she stopped short in capitalizing upon a single book, and rested her reputation upon two.

On the opposite shore of the Atlantic we find many similar coincidences. Take Miss Mulock for instance. Her first book, "John Halifax," is to-day the most fascinating story she ever wrote, and none of her later efforts equal it. So, too, with Mrs. Lewes, whose "Adam Bede" bold and passionate as it is, far surpasses all her subsequent works. Last but not least in the category of English fiction writers, is Charlotte Bronte, whose "Jane Eyre" we deem the greatest novel ever written by any woman; but so grand is it that all her later works are dwarfed by comparison.

On the other hand, several of England's male writers have increased in force and intensity of narration, as they grew older. Bulwer's "What Will He Do with It?" is one of his fireworks and its smallest, which everybody may not admire as we do, are the finest of the kind ever penned in our mother tongue. Scott's "Waverley" was his first novel, but all will admit that in his case the old adage that "practice makes perfect" was singularly exemplified by his "Heart of Midlothian," "Old Mortality" and "Ivanhoe," all of which were written in the middle period of his literary life. And as for Dickens, there can be no question that his "David Copperfield" surpassed all his earlier works. As for "Edwin Drood," he died before completing it, and it must ever remain like the unfinished window in Aladdin's tower. Disraeli was an exception. His "Vivian Grey" and "Coningsby" are his two best works and were written long before there was any immediate prospect of his becoming Earl of Beaconsfield or Marquis of Hughenden; while his latest works, "Lothair" and "Endymion" are wholly unworthy of a writer of his reputation.

A new writer named Francis Marion Crawford has brought out a new book called "Mr. Isaacs, a tale of Modern India," which is one of the most fascinating books of the last half of this rapidly waning century. The leading character is a young Persian, whose name of Abdul Hakzben Isak is Englished for everyday use into Mr. Isaacs, and whose character is a singular mixture of the different civilizations and religions in which it is formed. A Mohammedan, he is devout without bigotry and quick to recognize the truth wherever it asserts itself, it Buddhism as well as in Christianity, and as surely in the writings of Plato as in the Koran. Precisely such a man as Mr. Isaacs, so beautiful, so noble, so strong, so passionate, so capable of the extremes of good and evil, in other words so entirely natural, we do not remember to have met with in fiction before. He is to a certain extent a poetical hero, though we do not think that he would appear so graceful in verse as in prose, which alone is suitable to his life and adventures. There are two elements in the story, either of which ought to make it successful. The first, which relates to the material side of Mr. Isaacs, is the description of the modern life of the mixed populations of India, the attraction and repulsion of races and castes, official and garrison life, tiger hunting, and so on. The second, which corresponds to his spiritual side, is the unveiling of his moods and thoughts, of his heart and soul, as they feel their way on from darkness to light, from the delights of sense to the ineffable bliss of love. For it is love which discovers Mr. Isaacs to himself—his love for an English girl, who cannot but return it, so powerful is his personality, and so essential does his existence become to hers. The growth of this emotion in both, and the tragedy with which it terminates, for she meets with her death from jungle fever, contracted during a tiger hunt, are depicted with masterly skill.

The book is a nondescript, being neither a novel nor a romance, in the strict interpretation of these terms, though it partakes largely of the qualities of both. Only by a pure love and only by a tragical death could Abdel Ben Isak's have been purified and led to the Divine Life. This we accept as the author's intent of the story, whether we accept it as a glowing religious allegory or a brilliant episode in the life of a Mohammedan in modern India. As a study of the interchange of emotions between two decidedly antagonistic personalities, and as a triumph of the spiritual part of man over his material nature, it will afford both instruction and amusement in hours of leisure, and therefore richly repay perusal.

H. W. S.

DISENCHANTMENT.

Sentiment is a fine thing. It may invest common-place matters with romantic hues. It may even surround "practical politics" with temporary illusions. A leading democratic paper of a leading democratic state—the Louisville *Courier-Journal*—discoursing upon the "mission" of its party, says:

> We no longer serve the democratic party has a higher mission than to administer public patronage. It has survived two many disasters; it has escaped self-destruction too frequently for us to suppose that it was intended merely as a sanctuary to pay the wages of men who have fought for twenty years only for a handful of filthy lucre. If we are only organized to get the offices, if that is all "we are here for," then the sooner we go to pieces, like a stranded ship, the better.

This is one side of it. It is a picture of rare beauty. It would fill the beholder with an exalted conception of what politics might be, were not the other side rudely turned upon him just as he was becoming rapt in admiration of a lofty ideal. In the same paper from which this extract is taken there appears a speech by Senator Williams of the same state of Kentucky—delivered on the civil service bill—from which we quote:

> I would like to see the democratic member of congress who would go back to his constituents and tell them he had voted to make the tenure of the postmasters and office-holders permanent, in order to keep his friends from being tempted into office-seeking. How many votes would that man get? Why, he would be hooted! People think, and I do, too, that whenever a party is in power has the right to put his friends in office. As for this poor little thing that is before us, I don't think it amounts to anything. Old Hickory Jackson would put his foot upon it in a minute. He doesn't think it would be law if we passed it, yet it is no bother or a little when we come in, and I don't want any obstructions in our way.

It is unnecessary to enlarge upon the subject. The reader will take his choice between these utterances as an exposition of the "mission" referred to, and decide, probably without much difficulty, which of the two courses is the more likely to be pursued.

We have telegraphed all associated press agents to refrain from reporting Mr. Langtry. Besides the long report on the Lily and her scandal, Gobrecht, printed to-day, we have thrown a quantity of thousand words into the waste basket. It was always a trick of the American people when they had anything to make too much of it.

During the year 1881, as official statistics show, the people of the United States drank 93 000,000 gallons of beer, or nearly two gallons to each inhabitant. In the amount of money spent for the beverage Great Britain ranks first, Germany second and the United States third.

DON'T RUB OFF THE ENAMEL

Of the teeth with gritty preparations. The teeth have too valuable to be trifled with. When gums, you need have false mouth "regulator" instead. Use SOZODONT, which contains no grit. It cleanses the mouth and vitalizes the secretions.

THE ASSESSMENT LAW.

LAST PART OF ARTICLE.

In your issue of January 3 appears an article on the subject of assessment, from the pen of the veteran precinct assessor, Mr. Sumner Dart, of Mount [illegible]. This is of course which actuated him in the performance of the most unpleasant duty that ever devolved upon any man in this county. Without any knowledge of the laws governing assessments, I feel constrained to say that in the execution of the duties of his office he has done nothing to subject himself to censure, and that in the main he has performed his duties in a correct manner. The assessment roll for 1882 is, I think, the most equitable one that has been made for many years. Under the old system of assessment, which was in force when I first became a resident of this county, the property of Multnomah county was assessed at about 50 per cent of its actual value, while that of the other counties was assessed at from 75 to 100 per cent. This was manifestly unjust to Multnomah county, and in the year 1880 the legislature passed an act providing for the assessment of property at its actual cash value. In the first year the law was put in force, 1881, it was not fully complied with, but in the year 1882 it was complied with to the letter, and the result was that the assessment roll of Multnomah county was increased from $20,000,000 to $30,000,000. This increase was not made by the assessor, but by the board of equalization, which is composed of the county commissioners, the assessor and the county clerk. The assessor has no power to increase the assessment of any piece of property, but he has the power to reduce it, and he is required to do so when he finds that the property is assessed above its actual cash value. The assessor is also required to assess property at its actual cash value, and he has no discretion in the matter. He is required to assess it at its actual cash value, and he has no discretion in the matter. He is required to assess it at its actual cash value, and he has no discretion in the matter. He is required to assess it at its actual cash value, and he has no discretion in the matter.

Assessor of Multnomah Co.

TARIFF REVISION.

SALEM, Jan. 6, 1883.

TO THE EDITOR OF THE OREGONIAN:

I have just seen an article in THE OREGONIAN relative to the tariff question that suits me. In your editorial under title of "Quite Consistent" you say: "That a material reduction will be made during the present session of congress with a view to removing the monopoly features of the present tariff may be set down as certain. This policy THE OREGONIAN, in common with nearly all journals of the principal commercial centers, has repeatedly urged upon the attention of congress and the country. Such a course is wise in the highest degree, and if pursued with judgment and discretion cannot fail to result in the greatest benefit to the whole country." Now, sir, I am glad to see that you are in favor of a reduction of the tariff, but I do not see how you can reconcile the above statement with the following, which appeared in your paper of the 3d inst.: "Mr. Garfield's message is not long enough to invite much comment. It is, however, quite long enough to show that the president is not in favor of any material reduction of the tariff. He says that the present tariff is not too high, but just high enough to invite a little competition from abroad, etc., that would hurt our own manufactures." Now, sir, I am a poor man, and I am in favor of a reduction of the tariff, but I am not in favor of a reduction of the tariff, but I am not in favor of a reduction of the tariff, but I am not

AUCTION AND COMMISSION

SALES ROOMS

GILMAN & CO.,

Auctioneers and Commission Merchants,

No. 49 First St., bet. Ash and Pine.

AUCTION SALES OF REAL ESTATE, FURNITURE, Etc., Every Day.

SPECIAL SALE DAYS—Tuesdays and Fridays, at 10 o'clock, A. M.

REGULAR AUCTION SALE

OF

HOUSEHOLD FURNITURE, ETC., ETC.

At Salesroom No. 49 First Street,

TUESDAY, JAN. 9th,

At 10 o'clock A. M.

Household Furniture of Every Description.

Carpets, Crockery, Mirrors, Lamps, Bedding, Lounges, Wash and Top Mattresses, Etc., Etc.

1 Large Mirror, 1 Iron Safe and Platform.

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PROFESSIONAL CARDS.

R. E. GRANT. J. P. ROBERTS.

FREELAND & ROBERTS,

Cor. First and Yamhill Streets,

Portland, Or.

GLENN & COX,

DENTISTS,

Removed to their new office, over S. W. corner 1st and First streets.

SHIPS' NOTICES.

SHIP for Liverpool, direct, THOS. KEW YORK—The splendid A 1 copper-fastened ship [illegible] Capt. Lewis, will have quick dispatch for the above port. For freight or passage, having fine accommodations for passengers, apply to the captain on board, at Alnsworth dock, or to LEWIS, CHAMBERLAIN & CO.

SHIP CHARTERED FROM NEW YORK—A vessel of [illegible] tons burden, now loading at this port, will be chartered for New York. For freight, apply to [illegible] & CO.

A. ROBERTS'

CHRISTMAS OFFERING

GIVEN AWAY! GIVE AWAY!

TO THE LITTLE ONES

NO BLANKS! NO BLANKS!

In order to show our appreciation of the liberal patronage extended to us during the past year, we propose to give to every purchaser during the month of January, 1883, with every purchase of a suit of clothes

A CHRISTMAS PRESENT

Comprising Writing Desks, Work Boxes, Chests, Accordions and Toys of all descriptions. We make specialties of

RUBBER GOODS,

English Light-Weigh Coats,

Extra-long Officers' Coats,

Firemen's Coats, Police Coats.

HOLIDAY NOVELTIES

Velvet Embroidered Suspenders,

Embroidered Silk Handkerchiefs,

Elegant Neckwear.

A. ROBERTS,

The Leading Clothier, Hatter and Furnisher.

Farms in Oregon.

Farms in Washington.

Farms Eastern Oregon.

Farms Western Oregon.

Lots, Blocks and Acreage in West Portland.

Lots, Blocks and Acres in North Portland.

Lots, Blocks and Acres in South Portland.

Lots, Blocks and Acres in East Portland.

Lots, Blocks and Acreage in and near Salem.

SOLE AGENTS FOR

Colonial Tract

NORTH ALBINA, on the main road to Albina, and a little north of Albina, near the railroad shops. Is perfectly level, cleared of stumps, roots, trees, etc. Is the property for speculation or building.

Price Corner Lots, on installments, $250.

Price Inside Lots, on installments, $200.

Correspondence solicited and personal interviews attended to.

SIMPSON & TRUAX,

12 UNION BLOCK,

First Street, Portland.

LEADING NEW

Real Estate & Rent Agency

Private Fire Insurance Office.

Home Fire Insurance Co., of Scotland.

Commercial Union Fire Insurance Co.

North British & Mercantile Ins. Co.

Royal Insurance Co.

Red Star Line Steamers.

American Line Steamers.

White Star Line Steamers.

Tickets Issued to and from all parts of Europe.

MONEY LOANED on approved security at 8 per cent.

Office—10 Washington Street, Additional Rooms 11 and 12.

DIPTHERIA

REMEMBER THIS—THAT DIPTHERIA CANNOT EXIST WHERE THE BLOOD IS PURE, and without it you will positively not have diphtheria. We guarantee that three bottles of Dr. Pierce's Golden Medical Discovery, or money refunded, will cure any case of blood poison, from the worst scrofula down to a common pimple. Sold by druggists. Send stamp for pamphlet on blood diseases. Address WORLD'S DISPENSARY MEDICAL ASSOCIATION, Buffalo, N. Y.

DE BOISE LINIMENT

FOR MAN or BEAST

THE KING OF PAIN KILLERS.

prominent horsemen and stockmen throughout the country. Guaranteed to cure Spavin, Ringbone, Curb, Splint, Sweeny, Scratches, Mud Fever, Sore Throat, Colic, Cramps, Swellings, Sprains, Bruises, Cuts, Burns, Scalds, Frost Bites, Chilblains, Rheumatism, Neuralgia, Toothache, Earache, Headache, Backache, Sore Chest, Stiff Joints, Lame Back, Contracted Cords, Caked Udder, Garget in Cows, Foot Rot in Sheep, Poll Evil, Fistula, Diphtheria, Sore Throat, Quinsy, Croup, Colds, Coughs, Pneumonia, Etc.

SOLE AGENTS FOR PORTLAND

Simpson & Truax

12 Union Block, First Street.

Daily Oregonian.

PUBLISHED EVERY MORNING.

TUESDAY MORNING, JAN. 9, 1883.

CITY.

DUCKING BOATING EXPEDITION.—A party of adventurous sportsmen chartered the steamer Van Dusen on Saturday and went hunting grounds above the city. The wind was southwest and a stormy day prevailed. The steamer, with the party on board, left the wharf at 8 o'clock in the morning, and proceeded up the river. It was moored below St. John, and the boat, which cost a trifle over one hundred dollars, was launched. Then the party, consisting of four persons, began to paddle about in the [illegible] and [illegible] the [illegible] of ducks. Dropping his gun and [illegible] a couple, he grasped a pole and slid down it into the river. He was hauled out and [illegible] trouble in the world, was [illegible] upon from the first thing he remarked after [illegible] was that the larger [illegible] of the boat was full of the [illegible]. Mr. Lee [illegible] not a sucker after [illegible] reached the slough and [illegible] 15 ducks, mostly [illegible] variety. On returning, with a [illegible] at the dam across the mouth of [illegible] was found impassable, and [illegible] to return through the passage [illegible] some three or four feet higher than the [illegible] and pompany over [illegible] the same [illegible] which [illegible] carrent rushed through the gap [illegible] the passage of boats with great velocity. [illegible] was encountered and it now remains to be [illegible] the practice will grow weary first, of paying or the man of leaning.

ASSAULT.—M. Dominger, a native of [illegible], had a little trouble yesterday with a [illegible] neighbors, man and wife, about the [illegible]. The voluble[illegible] of the French language [illegible] exhausted in spitefire against each [illegible] two men were about to settle their [illegible] by the American method—with their [illegible] a woman interfered. Execution between [illegible] was thus prevented. It appears that he [illegible] hands upon her and pushed her away, [illegible] of a desperate man both husband [illegible] were made [illegible] a complaint to [illegible] court against Dominger, charging him [illegible]. When the case was stated in Dominger pleaded his grievous offense and was [illegible].

FIRE.—Yesterday carpenters were at [illegible] down the elevator in the building at [illegible] and North First streets, lately vacated by Grant & Co. While lowering a [illegible] down to the ground floor, by some [illegible] they were [illegible] and the [illegible] ropes used in [illegible] passed to the sheet and passed over the roof and the slack coiled up on the [illegible] floor. Just as the last sheet in the work [illegible] near the coil when the wheel fell, was [illegible] right in the rope and jerked up against [illegible] him with [illegible] force. The [illegible] times he had rescued the drum, the [illegible] the bottom, or the consequences [illegible] been more serious.

A WIFE.—A gentleman who arrived yesterday from Seattle stated to an Oregonian reporter [illegible] upon the reason why Dixon and [illegible] Portland, who are wanted at the [illegible] burglary, had not been extradited [illegible]. Should the Seattle authorities [illegible] no attempts in that direction be [illegible]. There was a strong sentiment in favor of lynch law, which would [illegible] victory upon the arrival of the prisoners [illegible] their swinging at the [illegible] with a short [illegible]. The precious [illegible] in jail at Victoria.

ELECTION OF OFFICERS.—Court Mount Hood [illegible] F., last evening installed the following officers for the current quarter: W. C. R.: J. T. [illegible]; C. R., Arthur Webber; Treasurer, N. [illegible]; Secretary, C. Mortimer; R. Secretary, [illegible] Lindhard; S. W., Simon Stelling; J. W., [illegible]; S. B., J. C. Colliers; R. C. Rasmussen; [illegible] Martin; Trustee, Hugh [illegible]; Representative to Grand Lodge, J. F. Burkhardt; Herald, [illegible]. After the [illegible] the members, their friends and invited guests [illegible] with a social dance, which was kept up till a late hour.

FIRE FRONT.—Yesterday afternoon the North [illegible] committee to examine the last 25 miles [illegible], left for the front accompanied by Assistant Manager Buckley, Supervising Engineer [illegible] and Division superintendent Fairweather, [illegible] Sheriff Stratton. An [illegible] train consisting of a baggage [illegible] as a kitchen, a passenger coach as a [illegible] and the sleeper. They have taken [illegible] plenty of provisions. This was [illegible], also the party would be liable to go [illegible] half the time.

READY AND OREESE TO JOIN.—Actions have [illegible] commenced in the county of both Oregon [illegible] territory by Wells, Fargo and [illegible] against [illegible] R. & N. and Northern Pacific [illegible], and the nature and form of the proceedings [illegible] in both cases being the same, [illegible] brother has been connected with the firm of Wells, [illegible] & Co. for years, while "Tally," as he is [illegible] familiarly known, has for several years [illegible] a duplicate will take a far less [illegible] and a duplicate will be a far less [illegible] principles are involved in both, [illegible] and definition will be fixed by the [illegible].

THE ALBINA FERRY WAR.—Judge Stott arrived from Astoria about noon yesterday and the court was convened in the afternoon. Counsel, Montgomery et al and Shuver et al were present and ready to take up the case for review restraining the ferry from running. Judge Stott ordered [illegible] from running until [illegible] and Albina. The restraining clause was [illegible] until [illegible], when the court adjourned. That matter [illegible] to-day.

A CHINESE TOAST.—Lieut. Schwatka, who has lectured throughout nearly all the principal towns of Oregon and Washington Territory, with great success, is making a tour up the seaside, and will delight [illegible] at Forest Grove on Tuesday evening, [illegible] Dallas on the 3rd, Corvallis the 4th, Albany the 5th, and McMinnville the 6th.

DISMISSED THE SUIT.—The bankruptcy case which has been [illegible] Judge Boise in court for five days [illegible] finished. A slight session was held [illegible], and the taking of testimony on both [illegible] concluded. To-day will be devoted to the [illegible] of counsel and Judge Deady expects to [illegible] to be just. Long argument.

U. S. D. A. L. SECURITY.—Last evening the C. S. D. A. L. held their regular early meeting and elected the following officers for the coming term: President, [illegible]; vice-president, E. Barnes; secretary, [illegible]; treasurer, P. Benfgon; board of directors, [illegible] Lundsberg and Casupion, and Messrs. Brand and Gerdin.

RUNAWAY REVERED.—The steamer Hassalo left for Dallas and the Bonnie left Portland on Tuesday morning and connection was made both ways at the Cascades. The Gates left Ilparia in the morning for Lewiston but was obliged to put back on account of [illegible]. She will on all probability [illegible] to-day.

THE SCHOOLS.—Harrison street school will open this morning. The heating apparatus will be ready for use in time for school session. Couch school was occupied for the first time last Tuesday. Miss Parker, Boge, Stanley and Cochran, assistants, and all are delighted with their new [illegible].

ELECTION OF OFFICERS.—A fleet last regular meeting of the Knights of Honor Benevolent Association, of Lake city, elected the following officers for the ensuing term: President, D. Stolle; vice president, Sol Bloomgarten; treasurer, L. Schmidt; secretary, Jesse Rosenblatt.

ARRESTED AT THE DALLES.—P. edrick Jost, arrested [illegible] on a charge of larceny in a dwelling at [illegible]. Was brought up yesterday by Deputy [illegible]. Sipes, and lodged in the city jail last [illegible], to be taken to the Dalles to-day.

HORSE THIEF CAPTURED.—Martin P. Gerkins was brought to the county jail yesterday by Deputy sheriff, S. W. Henderson, of Umatilla county. Gerkins was [illegible] in Marion county, at the house of one [illegible] near Silverton Falls. He is charged [illegible] a grand jury indictment with stealing a pair [illegible] horses, the property of Wm. Hinkey, of Wild Horse creek, Umatilla county, in the spring of 1881. Since that time he has been [illegible] and [illegible] strongly suspected him of [illegible]. He admits being [illegible] with a [illegible] person on the [illegible], but says he bought [illegible] in [illegible]. He will be [illegible] to-day by the [illegible] morning's [illegible] passenger train for Pendleton.

LARCENY.—Ellen [illegible] Sheriff Stott, went to Salem yesterday and brought down from that penitentiary the woman Carrie Bradley. A record of [illegible] six girls, both male and female, attended the arrival of the train. At the jail, of course, she was [illegible] by her relatives, and [illegible] upon them which in private. Some other prisoner than the one who will [illegible] pray to [illegible] what she said. Respectable people, however, will dread her, when they think of the horrible crimes that were [illegible] to her house in Hancock, and whose discovery is solely to [illegible].

NOT INSURANCE.—An examination yesterday revealed the fact that the fire at the Lennox was caused by a defective brick flue in the wall of the kitchen range. The insurance had been required a short time since and the [illegible] in working it in and loosened the brick under it, which allowed [illegible] and [illegible] through. The difficulty [illegible] was in hand very promptly. The property of the hotel bears the inscription, "Lost found the [illegible] Department of Insurance, N. M. Orleans, Ohio." A number of the firemen are engaged in that business.

DEATH.—E. W. Ross, last night T. W. Dare, well known newspaper man, member of the Grand Army of the Republic, and of the G. O. T. Temperance. Left at 11 o'clock Sunday for Seventh Presbyterian hospital, of consumption and other diseases. The funeral will take place from the residence of Frederick Kern, Second Avenue, between Main and Salmon streets, at 2 o'clock. Old soldiers and [illegible] will be conducted by [illegible] comrades in arms and by the Good Templars.

BURNED.—Charles Bell, the brother of John H. Savage, the man who will head in front of the Chicago Exchange on sunday morning, has telegraphed from the Dalles that Mrs. Savage died yesterday and the burial [illegible] will take place [illegible] Sunday. Deceased [illegible] old [illegible] of two [illegible] and [illegible] town.

GONE BUT—T. F. Norton, who was arrested charged with stealing money from the till of the [illegible] Exchange, was arraigned in the police court yesterday and gave bail in the sum of $500 for his appearance at the examination of the case, which is set for this afternoon.

BRIEF MENTION.

State circuit court reconvened yesterday.

Pioneer Lodge, K. of P., installed officers last evening.

Drunken boys, from 12 to 18 years of age, are frequently seen on the streets of this city.

One by one the ties which have bound the volunteer fire department together are being severed.

An entertainment will be given Wednesday, the 24th inst., for the benefit of the Good Templars' orphans' home.

Peter Lustgnott, charged with an assault with threats to do bodily injury, will be tried before Justice Davis next Friday.

Every member of the Handel & Haydn Society is earnestly requested to be present at rehearsal to-night, Masonic hall, at 8 o'clock.

There will be a regular conclave of Oregon Commandery, No. 1, K. T., this p'clock, at Odd Fellows' Masonic temple, this (Tuesday) evening at 7:30 o'clock.

Edward L. Bilger, U. S. Sheriff Scott, went to Salem yesterday and brought down from that penitentiary the woman Carrie Bradley. A record of [illegible] six girls, both male and female, attended the arrival of the train. At the jail, of course, she was [illegible] by her relatives, and [illegible] upon them which in private. Some other prisoner than the one who will [illegible] pray to [illegible] what she said. Respectable people, however, will dread her, when they think of the horrible crimes that were [illegible] to her house in Hancock, and whose discovery is solely to [illegible].

Mr. F. Spencer, auditor and clerk, slipped yesterday and fell down the stone steps of his residence. He was badly bumped and jarred, but managed to hold together.

Work has been commenced on the new dock of E. J. North up on Front street, between Main and Salmon. It will be 50 feet front and cost in the neighborhood of $6000.

The choices and counter charge cases of the two women from the Sherlock building, which were pending before Justice Greene, have been settled by payment of the costs.

A number of handsome prizes to be given to participants in the first grand prize masquerade of the Pacific social Club, Jan. 24th, are on exhibition in the show window of Chadbourne & Co.

Members of No. One, of the old volunteer fire department, are requested to warrants for their dividends by calling upon Secretary Eppinger to-day at room 24, Union block.

The wood train in the west side road on Sunday, made sausage meat out of two of S. G. Reed's thoroughbred hogs which, with the natural instinct of their race, ran the wrong way.

Scarlet fever is raging in Pendleton, five deaths having occurred from this disease during the past week. It is supposed to be aggravated by unclean sanitation from the effects of the late inundation.

Thomas A. Sutherland, editor of the Sunday Welcome, was appointed yesterday by one of the staff of "the new paper," and tendered the position of editor-in-chief on that organ, which he declined, for obvious reasons.

Policemen Hodson, Barry and Dobbins yesterday searched a building in Chinatown for a bolt of cloth stolen a few days ago. The cloth was found in the store of Fine Sing, but the police had no search warrant and the goods were not seized. The affair will be investigated to-day.

The conspicuous buttons on the [illegible] of our city was shown yesterday by a case in the police court. A Frenchman assaulted a German and an Italian appeared as a witness. Neither of the three could speak English and three interpreters were necessary. The case was decided on the testimony of an Oregonian.

PERSONAL AND SOCIAL.

Judge Stott returned from Astoria yesterday.

Judge S. S. Bean and wife, of Eugene, are at the Clarendon.

The German at Turn Halle this evening is to be a sheet and pillowcase party.

Henry Herets, formerly correct soloist of the sixth [illegible] musical society, will shortly return to Portland and [illegible] music [illegible].

Miss Cora Selby, teacher of the school near the car shops, above East Portland, who has been laid up for some time with a sprained ankle, will resume teaching next Monday.

Dr. I. S. John left by last night's train for Dayton, W. T., where he will appear as an expert witness in the case of Connolly, charged with the murder of E. B. Cummings at New York the last July.

C. P. Yates has retired from the charge of the advertising department of the *Evening Telegram* to engage in farming, and will be succeeded by J. E. Evans, well known to people of Portland and vicinity.

ORIENTAL UNION CONCERT.

The musical committee has arranged the following programme for the next concert of the Oriental Union. The precise date has not been decided upon:

PART FIRST.

1. Overture—Fra Diavolo.....Orchestra.
2. Symphony—a Minuetto à Presto.....Orchestra.
3. O mio fedeli.....Mr. Warren Burgess.
4. Fantasie.....Orchestra.
5. Cavatina—Love Song.....Mr. M. O. Townsdale.
6. Bottle Ball Klange.....Orchestra.

SECOND.

7. Overture—William Tell.....Orchestra.
8. Sextet Quartette.....
Misses Chilman, Engleman, Cooper, Harris.
Messrs. Chilman, Engleman, Cooper, Harris.
9. Selection Carmen.....Orchestra.
10. Song—Invocation.....Mr. M. O. Townsdale.
11. Chautauqua—Grand March.....Orchestra.

NEW LIQUOR HOUSE.

Manner of the Old House of Wilmerding & Co., Established Here.

So great has been the growth of this trade in Oregon, Washington, and Idaho in the past two years, that Wilmerding & Co., of New York and San Francisco, decided last season to establish a branch in this city. They secured suitable quarters in Glisan block, No. 209 First street, near Ankeny, and established [illegible] in charge of Charles and N. Theo Kohn, the young men well known to the [illegible] Kohn, who [illegible] here for several years, and is the [illegible] brother, has been connected with the firm of Wilmerding & Co. for years, while "Tally," as he is [illegible] familiarly known, has for several years [illegible] a duplicate will take a far less [illegible] and a duplicate will be a far less [illegible] principles are involved in both, [illegible] and definition will be fixed by the [illegible].

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REAL ESTATE TRANSACTIONS.

DEEDS.

J. B. McMinnemy and wife and Wm. Reid and wife to Wm. Reid—lots 11 and 15, blk 26, Albina, Jan 8—$400.

Mary F. Jones and wife and Wm. Jones and wife to T. C. Powell and D. C. Powell, lots 1, 2, 3 and 16, blk 15, subdivision of Prindle's addition to Lents—$1,000.

J. H. Thompson and wife and J. N. Dolph and wife to Annie Barnett, lots 7 and 8, blk 147, Caruthers' add to Portland, Jan 4—$2,000.

Geo. E. Nottage and wife to John N. Watt, lots 7 and 8, blk 129, East Portland, Jan 4—$1,000.

Nathan H. Jones to Joseph Bailey, 3 acres of the S 40 ch 13 Jones donation land claim, Jan 5—$150.

Chas. J. Mainzley and wife to P. S. Stipp, all of fractional lot 3, Portland Dec 11—$1,000.

East Portland Land Improvement Association to John Kennedy, lots 5, 6, 7 and 8, blk 156, and all of blk 167, Park add to East Portland, Jan 5—$2,000.

H. Dekum and wife to J. P. Lotan, lots 5, 6, 7 and 8, blk 147, Caruthers' add to Portland, Jan 6—$1,000.

P. H. Wright and wife to Mary A. Austin, lot 5, blk 16, East Portland, Jan 5—$1,000.

UNDER THE HAMMER

To avoid taking or anything out of their retail stock [illegible] to their wholesale building, Messrs. Goldsmith & Loewenberg will [illegible] auction sale [illegible] Monday morning, at 10 o'clock, [illegible] of the [illegible] of the [illegible] Goods. The [illegible] is [illegible] and [illegible] Goods [illegible] Boots and Shoes, [illegible] Blankets, [illegible] Muslins, [illegible] Crashes, [illegible] Towels, [illegible] White Shirts, [illegible] Overshirts, [illegible] Underwear, [illegible] Gloves, [illegible] Scarfs, [illegible] Hosiery, [illegible] Fancy Goods, [illegible] Trimmings, [illegible] Piece Laces, [illegible] Curtain Laces, [illegible] Table Covers, [illegible]. The [illegible] will be [illegible] and [illegible] will [illegible] to [illegible] the [illegible] of [illegible] January, at [illegible] P. M.

BUSINESS NOTICES.

P. C. Mather [illegible] Portland [illegible] New York.

The [illegible] sale of [illegible] Goods [illegible] every [illegible].

Mr. [illegible] the popular [illegible], has removed to the old [illegible] National Bank [illegible] up very neatly for the convenience of his [illegible].

PERSONAL.—Arthur Kohn leaves to-night for New York for spring stock, to be also at Boston, etc.

Go to Keltch's for oysters

New Domestic [illegible] all. 49 Salmon st.

G. Seymour has removed to the old National Bank, on Fire street and has opened with a new selection of goods.

THE BOARD OF TRADE.

Petition to Congress for Appropriation to Improve the Columbia River Bar.

Facts and Figures about our Imports and Exports Set Forth—The Salmon Fishery Again Discussed—Coal for Mouth Harbors.

The Board of Trade held a regular meeting last night. Pres. Wolf Mayer in the chair.

Roll call and reading of minutes.

From Senator Slater, inclosing a receipt for petition in favor of the [illegible] of Port and [illegible] the [illegible] be [illegible] conflict [illegible].

Mayer [illegible].

Letter from Gen. Gibbon [illegible] in favor of proposed [illegible].

Mayer [illegible].

Hon. [illegible] communication on navigation to which was referred the report of the San Francisco Chamber of Commerce, [illegible] as follows:

Gentlemen: The [illegible] of navigation to which was referred the report of the San Francisco Chamber of Commerce, and also the petition of the Portland Board of Trade, praying for an appropriation by Congress for the improvement of the mouth of the Columbia river, beg leave to report as follows:

That your committee have given the subject referred to them their careful consideration, and have had the advantage of hearing upon it the views of many of the best informed men of the Pacific coast, and of the [illegible] of the Columbia river. The [illegible] of the [illegible] of the Columbia river, and the [illegible] of the [illegible] of the [illegible] of

The Daily Oregonian.

TUESDAY MORNING, JAN. 6, 1880.

DECISION IN U. S CIRCUIT COURT, BY DEADY, J.

U. S Circuit Court, District of Oregon.

Tuesday, December 29, 1879.

Chung Yune v. John Kelly, Collector.—Action to recover Duties.

(1.) ACTION TO RECOVER DUTIES.—The plaintiff brought an action to recover the amount of duties paid by him on three bandine s thereafter duly classed and taxed by the collector, as starch, but claimed and taxed by the collector, as starch, against the protest of the plaintiff, to which the ruling was done and free of duty, and that the plaintiff must recover, if at all, upon the ground stated in his protest, and therefore he could not recover although it appeared on the trial that the articles was in fact, not starch, but dutiable.

(2.) FLOUR—STARCH.—A flour which is made from a farinaceous plant for food, though largely composed of starch granules is not therefore the compound of starch granules and gluten "made" or manufactured starch of commerce upon which the collector of the port of U. S. is not entitled to collect a duty when brought from a foreign country, and it matters not that it may be in some measure, used as starch.

DEADY, J.

This action is brought to recover from the defendant the sum of $423.96 alleged to have been unlawfully collected by him from the plaintiff, as duties on certain merchandise entered at this port by the latter.

It is alleged in the complaint that on September 26, 1879, the plaintiff entered at the custom house, in Portland, 148 boxes of merchandise, weighing 11,264 pounds, of the value of $867.20, as sago flour, an article exempt from duty under the laws of the United States, upon which the defendant, as collector of said port, imposed and collected a duty of $423.96, which the plaintiff was thereby compelled to pay, and that the plaintiff duly appealed from the decision of the defendant to the secretary of the treasury who affirmed the same, whereupon the plaintiff brings this action, &c.

The defendant, by his answer, admits the allegations of the complaint but denies "that said merchandise was or is sagoflour," or exempt from duty; and as a further defence, alleges that said merchandise was not "in fact sago flour," but "was starch not made from corn or potatoes, but some material to the defendant unknown, and as such starch was and is subject" to the duty collected thereon by the defendant.

The case was tried with a jury and there was a verdict and judgment for the defendant.

The plaintiff moved for a new trial on the ground that the verdict was contrary to the law and the evidence.

A number of similar cases were pending against the defendant and one—Tond Duck Chung v. Kelly—had been tried by the court in favor of the plaintiff on April 23, 1879, and the parties waived a jury and submitted the case upon the same evidence produced on the trial by either party, as to the identity of the article in question, as satisfactory as it should be, for want of some known or admitted sample of sago flour with which to make a sample of sago flour with which to make a microscopic comparison of the granules of the former, postponed the consideration of the motion for a new trial until the trial of one of the other pending cases before which it was expected that the parties would procure some samples of sago from Singapore, the place where the latter claims that his flour came from, as a standard of comparison.

Since then, the case of Chung Yune v. John Kelly, No. 618, has been tried with a jury and a verdict found for the defendant on December 17, 1879.

On the trial of this latter case it satisfactorily appears, from the testimony of a witness sent to Singapore by the treasury department during the past summer, that sago flour is exported from Singapore from the pith of the sago palm (*sagus Farinifera*), known there on plantations for that purpose; and that a root flour is made there from the root of a species of the same sago palm, also grown there on plantations for that purpose.

The flour made from this root is called by the Chinamen who are principally employed in the sago factories and factories, *ting fune*, root, or weed flour. It is also known in the books and trade in commerce as *cassava* meal from which is made the tapioca of commerce, sometimes called Brazilian arrow root, from the fact that it is grown principally indigenous to Brazil, from whence it has been introduced into other parts of tropical America, Florida, Africa and the West Indies. Am. Cyc., "Cassava," Nat. Dis. Salle and Maisch, "Tapioca."

Its derivation and origin is suggested by a narration contained in an agreement made between the sixteenth century between Ferdinand and the king of Spain, by which that royal adventurer agreed to aid the latter in subjugation to the South sea—the "Pacific ocean" west of Panama—for "gold silver, precious stones, and precious stones," by furnishing for the use, at Jamaica, "among other things, 2,000 loads of cassava root, and 500 [illegible] Hist. Ps. S., 480, No. 2.

And whether the cassava was intended as food for the "people" of the expedition or the "dogs" does not distinctly appear—probably for both.

Samples of the flour or meal of the palm from the country, them obtained from the plantations on the island of Singapore, were produced by the attorney for the trial and the article in question was subjected to a microscopic examination and comparison with these; and the evidence of the experts was unqualifiedly to the effect that, judging from the size and shape of the starch grains, the article imported by the plaintiff is not sago flour and is cassava flour. And upon a personal examination of the granules of the three articles with the aid of the microscope, the difference in size and shape and the location of the hilum between those of the Singapore sago and the article in question was very marked, while the resemblance in those particulars between the granules of the latter and the cassava was equally marked.

In the present case, as well as that of Chung Yune, No. 618, the issue to be tried arose upon the allegation of the plaintiff that the article imported was sago flour and the denial of the same by the defendant.

The goods were arrested by the plaintiff as sago flour, and he protested against the payment of duties upon that ground alone. His right to maintain this action at all, depends upon the statute (§3011 R. S.), and he cannot recover under it unless he protested in writing against the payment of the duties, stating "distinctly and specifically" the grounds of such protest, Nesbeth v. U. S., 7 Wall. 126; Mason v. Kane, Taney's Dec. 176 Thomas v. Maxwell, 2 Black., 830; Warren v. Pendleton, 2 Part. 235.

The burden of proof is upon the plaintiff, and before he can recover, he must prove the truth of his allegation and protest that this article is sago flour.

And therefore it is, that it is of no avail to the plaintiff in this action that it now appears that this article is not dutiable and ought not to have been charged with duty, because rice flour, tapioca and cassava are all on the free list as well as sago R. S. pp. 489-9).

An issue was also made in the pleadings as to whether this article is "starch" made from some material other than potatoes, corn or rice, and, as such, liable to pay a duty of three cents per pound and twenty per centum ad valorem, under schedule M, p. 431 of the Revised Stat. This issue was tendered by the defendant and in the trial of it the burden of proof is upon him.

It is probably an immaterial issue, as it is still apparent how any finding upon it could control or affect the final judgment in the case. But evidence and argument was given and made to the jury upon it at the trial without objection; and in the case of Chung Yune No. 618, it being manifest that there must be a verdict for the defendant upon the ground that the merchandise was not sago flour, the court, to enable the parties to have the benefit of the trial on this point, if the same should in any way become material hereafter, instructed the jury, if they found a verdict for the defendant, to find the answer to the following question, then submitted to them in writing (Or. Code, C. P., § 313)—"Is the article in question and imported and entered by the defendant as starch known to commerce as such, and made and intended to be used primarily by laundrymen in the stiffening and polishing of clothes"—to which the jury answered "No."

This answer is undoubtedly according to the law and the fact. This "thing fune" or "root flour," like the flour of wheat, corn, rye, rice and other starch bearing plants, is largely composed of starch granules and may be used as starch. But it is not "made" or manufactured starch or known to commerce as such.

It appears to be imported to this coast from Hongkong, by the Chinese as an article of food, though some small proportion of the quantity imported is used as starch in the laundries, to give a degree of lustre and stiffness to the clothes which is said not to be attainable by the use of the dry navy starches.

The preparation of starch granules "made" or manufactured from the flour of farinaceous plants, for the purpose of being used in the arts as starch, sizing or stiffening, and not for food, in the starch of commerce, and the article upon which the clause in the statute imposing a duty on starch applies. It would be just as farfetched and unreasonable to construe the statute, as authorizing a duty on wheat flour, because of its starchy nature, as in respect of sago flour. both are for the greater part composed of starch granules and may be used for starch.

But matters not what are the component parts of the rice flour or for what purpose it is used. Congress by the act of June 6, 1872 (17 Stat. 231), has placed it since August 1, 1872, on the free list and exempted it from duty by name. And this is sufficient to exclude it from the operation of the general clause imposing a duty on starches. When an article is designated, in an act of congress by a specific name, general terms in the same or a subsequent act, although broad enough to include the article, are not considered applicable to it. A designation of an article by name must prevail over a general description. Hamer v. The Collector, Wall. Jun. Circuit Courts, 13 Wall. 162; Merritt v. Archer, 2 Cranch, 344; Arthur v. Lahey, 6 Otto, 12; Arthur v. Rhines, 14 14).

The evidence introduced on the trial of this case was conflicting and unsatisfactory, because of the want of a known standard with which to compare the article. The weight of evidence is not enough to justify a verdict for him. In the case of Chung Yune No. 618, the court directed the jury to find for the defendant, considering the evidence of the plaintiff as to the identity of the article was not sufficient question and doubt, and while the court did not feel authorized to set aside a verdict obtained upon it for a second reason it would feel bound so, in case the verdict was against it.

But in the light of the evidence and verdict in case of Chung Yune No. 618, it would be useless to grant a new trial in this case, as it would be followed, so far as can be seen, by another verdict for the defendant.

The motion is denied.

Addison C. Gibbs and *B. Scott Baker*, for the plaintiff.

Rufus Mallory and *Jessen E. Watson*, for the defendant.

FINANCE AND COMMERCE.

MONDAY, Jan. 5—6 P. M.

The wheat market to-day was strong, and little disposition shown by holders to part with their grain. Quotations ranged all the way from $1 72½ to $1 75. Receipts were fair but not large. The flour market was firm.

There is an impression prevalent to-day that the amount of last year's wheat crop remaining on hand has been largely overestimated, and that the actual amount available for export is limited. It is doubtful if more than 5c or six vessels could be loaded from the valley, while the amount left on hand east of the mountains is no larger. The small amount of tonnage in port, or likely to arrive before the new crop comes in, will perhaps be able to secure cargoes, but it will be useless for other vessels to come with such expectations. The outlook for the next crop, however, is good, and every portion of the northwest reports a largely increased acreage, and promises of an excellent yield.

The charter situation remains unchanged. A rumor was prevalent Saturday that two vessels had been taken, but it could not be authenticated. The Bark Galatea, from Wilmington, lost her charter by arriving too late.

Portland Produce Receipts

FOR 72 HOURS ENDED 12 M. JAN. 8.

		Since Jan. 1.
Wheat, centals	26,390	71,444
Flour, bbls	3,661	16,255
Oats, centals	1,556	8,228
Bran, lbs	127,740	299,770
Millstuff, lbs	40,470	128,650
Potatoes, sacks	693	707
Hides, lbs	5,629	26,509
Butter, lbs	950	3,470
Eggs, doz	3,150	8,265
Feed, packages	64	699

Merchandise Market.

COAL—The market is firm, several cargoes have arrived within the past few weeks, and stocks are good. Retail prices are as follows: Bryn Mawr, $14; Scotch, splint, $12; Australian, $10; West Hartley, $11; Seattle, $8; Cumberland, $20; Lehigh, $20; Foundry Coke, $16.

Portland Produce Market.

WHEAT—Market firm. Receipts, 17,260 ctls. Quotations, $1 72@ 75.

FLOUR—A firm market. A large lot of Capitol mills was shipped to Seattle to day.

BARLEY—We quote $1 40 per cental.

OATS—Quotations are 60@65c.

MILLSTUFF—The market is firm. The last steamer brought 1,328 sks from San Francisco.

Bran, $20@22; middlings, $30@35; chop, $30@40; shorts, $26@27 per ton.

OIL-CAKE MEAL—$30@35 per ton.

CORN MEAL—Quotable at $2 per cental.

POTATOES—Common are quotable at 55c per bushel.

VEGETABLES—Onions good article, $1@1 25 per cental; cabbage, 2c per pound; cauliflower, $2 per dozen.

BEANS—Market nominal. Small whites, $4 75 per cental; Bayos, $4 25; pinks, $4; butter, $4 25.

FRUIT—Apples quoted at 60@80c per box; pears, 75c; California oranges, $6; lemons, $6 50@8.

LARD—In kegs, 15c; in tins, 17@18c.

DRIED FRUIT—Pioneer dried apples in boxes 9@10c; plums 1@1½c. Oregon prunes 12c; German prunes 10c; figs, $2 50 per box; with advance of 25c for fancy; peaches 10c; California figs 8@9c. Smyrna figs 20c.

NUTS—Almonds, California, 19c; walnuts 10@12c; Brazils 9c; filberts 18c; cocoanuts 8c.

HONEY—Of bbls 8@9c; strained 10@12c.

BUTTER—Over 6500 lbs came up on the last steamer. We quote best Oregon dairy, 30@35c. California fresh roll, 35@40c; common, 25@30c.

POULTRY—Chickens, $3 75@4 per dozen; ducks, $6; turkeys, 12½c per lb.

EGGS—Market fully supplied. We quote 35c per doz.

PROVISIONS—Choice Oregon hams, 15@18c, bacon, 14@16c; lard, in pails, 12½@13c; lard, in tins, 13@14c.

WOOL—Quotable at 13@23c per lb.

HIDES AND SKINS—We quote green hides, 8c per pound; dry, 18c; culls, ¼ off; deerskins, winter 25c, summer 30c; sheepskins, winter 15@20c.

FURS—Bear, $1 50@3 75 per pound; otter, $2@4 each; mink, 75@45c; fisher, $2 50@5; Blue Mountain marten, 50@81; northern marten, $1@1 50; raccoon, 15@25c; muskrat, 2@12 50c; bear, black $3@5, brown 10@8, northern higher; coyote, 20@75c.

HAY—Choice timothy, baled, $22 50 per ton.

TALLOW—Quotable at 7c per lb.

Portland Meat Market.

BEEF—First quality 8@c with slight advance for stall fed, second do, 5c, third do, 7c.

VEAL—Small 8c, large 6½@7c, choice 8c.

MUTTON—Wethers 6@6½c, ewes 5c.

LAMB—Quotable at 8c.

PORK—We quote live hogs at 6@7c, or 7@8c dressed.

San Francisco Markets.

SAN FRANCISCO, Jan. 6.

Receipts—Wheat, 22,900 ctls; flour, 2,250 qr sks; potatoes, 2?5 sks; eggs, 14,500 dozen.

Wheat—The market is strong, held higher, but no actual advance established; round lots of No. 1 white held at $1 80.

Flour—Sellers are raising their pretensions; operators quiet and unchanged.

Barley—No. 1 feed, spot, $1 20@1 25; No. 2 feed, $1 17½@1 20; no much business doing; prices favor buyers. For futures the market is irregular; No. 1 feed, February, $1 22½; March, $1 24½; buyer, the season, $1 26 s.

Oats—A light business doing; quotations unchanged; sales of eastern reported at $1 45@1 65.

Potatoes—Market firm; offerings are smaller and an improved demand is noted. Petaluma and Tomales sold to-day at $1 15@1 20; Cuffey's Cove nominal at $1 20@1 25.

Grain Bags—The movement is very small; California are quoted steady and quiet at $8 12½@8 25 for June and July delivery.

Wool—Quiet and unchanged in value and demand.

Eggs—Supply and demand about balance; fresh California 32½@35c.

Butter—Market unfavorably affected by large receipts from southern California. Fresh roll, 26@27½c.

Hops—Nominal and quiet.

PARTNERS.

The market is very dull and flat, with a declining tendency. The supply of disengaged tonnage is large, and in the present unsettled condition of the market no one is willing to take up vessels except at concessions.

CHARTERED.

British ship Lake Superior, iron, 1274 tons, has been taken for wheat and merchandise for Liverpool on private terms.

Chicago Markets.

CHICAGO, Jan. 6.

All markets are stronger and higher.

Wheat—Nominal, 93½c Jan.

Pork—$17 10 Jan.

Lard—$10 40 Feb.

Ribs—$8 90 January.

New York Markets.

NEW YORK, Jan. 6.

Wheat—Steady, 3c East 12.

Flour—Steady. Demand rather improved.

Wool—The market is dull and prices favor buyers. Fall, 18@20c; full hurry, 12@14c; spring, 24@30c; spring hurry 15@20c; pulled, 18@40c.

Hides—Dull.

Boston Wool Market.

BOSTON, Jan. 6.

Wool—Quiet, but steady.

Beerbohm's English Market Report

LONDON, Jan. 6.

Floating cargoes—Firm.

Good cargoes off coast—Firm.

Cargoes on passage—Firm.

Cargoes for shipment—Firm.

Mark Lane—Firm; hold higher.

Arrivals off coast of wheat cargoes—Small.

English country markets—Firm.

French country markets—Quiet.

Farmers' delivery of wheat past week between 29,000 and 30,000 qrs.

Liverpool Markets.

LIVERPOOL, Jan 7.

Spot market for wheat—Improving.

It's no use commanding more hose for her fire companies.

"It was very wilful misfortune to be dealing with Mahommedans," writes Sir Bartle Frere, "for they never will believe that we could not have had more Bibles and Testaments if we had chosen to order them."

MINING STOCK REPORT.

SAN FRANCISCO, Jan 6.

Chollar	52½
Virginia	53
Gould & Curry	53½
Mexican	7½
Consolidated	7½

New York Stock Market.

NEW YORK, Jan 6.

Western Union	96½
Lake Shore	71½
North Pacific deferred	54
N. Y. Central	124
Ill. Cent. Stock	120
Pacific Mail	17½
U. S. 6 N. 1881	102

The true figure to study in the medicine is the manufacturer. If you would find out whether this or that medicine is worthy of confidence, examine the formula by which it is made. Dr. Pierce's Golden Medical Discovery is the only blood purifier sold by druggists, the formula of which is published on every bottle-wrapper. Sold by druggists. Proprietors, World's Dispensary Medical Association, Buffalo, N. Y.

OUR CITY FURORE.

The Commotion Caused by the Statement of a Physician.

An immense article from the New York Herald, was published in this paper yesterday, and has been the subject of much conversation with professional and the non-professional. Apparently it caused more commotion in the theatre, as the following from the same paper will show:

Dr. H. H. Hall, who is well known in society in Elizabeth, and is nearly a city of Jersey, has created a sensation in his profession by a statement which he made in the Herald office yesterday. He said: I was daily astonished, I might say horrified, at the experience which resulted from what I considered to be my own ignorance of the true nature of Bright's disease in its early stages. I would be taking medicine and treating the patient under the impression that I knew what I was doing, when I would suddenly discover that I had been mistaken in the diagnosis of the case, and that further investigation of the symptoms was necessary before I could be certain what I was doing. I was perplexed, confused, and disheartened. I was ashamed to go before my patients and confess my ignorance, and I was afraid to go on with the treatment. I was in a terrible dilemma. I had studied with the best medical teachers in the country, and had graduated with honor, and I knew that I was not a fool, but I was afraid that I was becoming one. I was nervous, irritable, and I was losing confidence in myself. I was afraid to go among my patients, and I was afraid to stay away from them. I was in despair. I was almost ready to throw up my profession and abandon my practice, when I was accidentally directed to the discovery which has restored me to health and happiness. I had a patient who was afflicted with Bright's disease, and I was doing all I could for him, but he was getting worse instead of better. One day he said to me: "Doctor, I have been reading about a wonderful discovery which has been made for the cure of Bright's disease. It is called Warner's Safe Kidney and Liver Cure. Do you think it would be of any benefit to me?" I told him that I thought it would not do any harm, and that I would like to see what effect it would have upon him. He procured the remedy and began to take it. In a few days he said to me: "Doctor, I believe that Warner's Safe Kidney and Liver Cure is helping me." I was astonished, for I knew that he was getting worse under my treatment, and I was sure that he could not be benefited by any remedy. I thought, however, that I would continue to watch the case, and see what would come of it. In a few days he said to me: "Doctor, I am sure